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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA, NORTHERN DIVISION**  
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12 JAMES ROBERT SMITH, an individual;  
13 JAMES ROBERT SMITH, on behalf of J. I. S.,  
14 a minor,

15 Plaintiffs,

16 v.

17 LYNN SCHLISKEY, an individual; STATE  
18 FARM MUTUAL AUTOMOBILE  
19 INSURANCE COMPANY; DOES I  
20 through X, inclusive,

21 Defendants.

**Case No.:** 3:21-cv-313

**ORDER FOR REMAND TO  
SECOND JUDICIAL DISTRICT  
COURT**

22 The parties, by and through their attorneys of record, hereby stipulate and agree to remand  
23 this matter to the Second Judicial District Court of Washoe County, Nevada. On July 26, 2021,  
24 Plaintiffs filed a Notice of Voluntary Dismissal Without Prejudice of Defendants State Farm Mutual  
25 Automobile Insurance Company Only (the “Notice”). The Notice dismissed Defendant State Farm  
26 from the action without prejudice. As Plaintiffs’ second cause of action is only brought against  
27 Defendant State Farm, the second cause of action is now moot.

28 Therefore, the parties stipulate and agree to dismiss the second cause of action in the

1 Complaint, Violation of NRS 649.370, without prejudice. As a result of the dismissal of State Farm,  
2 and Plaintiffs' second cause of action, the basis for removal (federal question jurisdiction) no longer  
3 exists. Thus, the parties stipulate and agree that this matter be remanded to the Second Judicial  
4 District Court.

5  
6 DATED this 29<sup>th</sup> day of July, 2021.

DATED this 29<sup>th</sup> day of July, 2021.

7 /s/ J. Robert Smith

8 J. Robert Smith (SBN 10992)

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9 Kendra J. Jepsen (SBN 14065)

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*Attorney for Defendants*

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16 **IT IS SO ORDERED.**

17  
18 DATED: July 30, 2021.

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21   
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of July, 2021, a true and correct copy of the  
**Stipulation and Order for Remand to Second Judicial Court** was served via the United States  
District Court CM/ECF system on all parties or persons requiring notice.

Michael A. Pinar  
McCormick Barstow LLP  
241 Ridge St., Ste. 300  
Reno, Nevada 89501

DATED this 29<sup>th</sup> day of July, 2021.

/s/ Kiley P. Rasmussen

Kiley Rasmussen, an employee of  
SIMONS HALL JOHNSTON PC

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